



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

Northern California Drinking Water Field Operations Branch
Monterey District



EDMUND G. BROWN JR.
Governor

June 30, 2014

Mr. Jeff Cattaneo, General Manager
Fairview Road Water System
30 Mansfield Road
Hollister, CA 95024

Attention Mr. Cattaneo:

CITATION NO. 02-05-14C-010-3500923-01
NON-COMPLIANCE WITH STAGE 2 DISINFECTANT AND DISINFECTION BYPRODUCT MAXIMUM
CONTAMINANT LEVEL FOR SECOND QUARTER 2014
FAIRVIEW ROAD WATER SYSTEM - #3500923

Enclosed is a Citation issued to the Fairview Road Water System. The Citation is being issued because the Fairview Road Water System has failed to comply with the total trihalomethanes (TTHM) maximum contaminant level (MCL) as specified in Section 64533(a), Chapter 15, Title 22, California Code of Regulations. An analysis result conducted on June 5, 2014 showed a TTHM level of 150 µg/L. Compliance with the drinking water standard for TTHM is based on an average of four quarterly samples. Following four quarterly sampling periods, the average TTHM level in the drinking water for the period of September 2013 through June 2014 is 91 µg/L which exceeds the MCL of 80 µg/L.

The Citation consists of five sections: Violation, Background, Directives, Notification Requirements and Further Enforcement Actions. The Violation and Background sections describe the events leading to the issuance of the Citation. The Notification Requirements section specifies what, when, and to whom notifications are required. The Directives section specifies required actions that must be implemented by the water system to return to compliance. The Further Enforcement Actions section describes penalties to be assessed for failure to comply with the Citation. No civil penalty is levied with the attached Citation.

Your water system will be billed at the Department's hourly rate for the time spent on issuing this Citation since this is an enforcement action for noncompliance with state regulations. The water system will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Querube Moltrup at (831) 655-6396 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
DRINKING WATER FIELD OPERATIONS BRANCH

jrs/ahu

Enclosures

CERTIFIED MAIL NO.: 7008-1830-0004-5435-4439

cc (w/enclosures): San Benito County Environmental Health Department

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

Date of Issuance: June 30, 2014

**RE: Fairview Road Water System
Water System No. 3500923**

**TO: Mr. Jeff Cattaneo, General Manager
Fairview Road Water System
30 Mansfield Road
Hollister, CA 95024**

**CITATION FOR NONCOMPLIANCE
STAGE 2 DISINFECTANT AND DISINFECTION BYPRODUCTS
MAXIMUM CONTAMINANT LEVEL EXCEEDANCE
SECOND QUARTER 2014**

Chapter 4, Article 9, Section 116650 of the California Health and Safety Code (H&S Code) authorizes the issuance of a Citation for failure to comply with this Chapter (California Safe Drinking Water Act) or any regulation, standard, permit, or order issued or adopted thereunder.



Violation

The California Department of Public Health, Drinking Water Field Operations Branch, (hereinafter "Department") hereby issues a Citation to the Fairview Road Water System (hereinafter "Fairview Rd. WS") for the following violation:

Failure to comply with Section 64533(a), Chapter 15, Title 22, of the California Code of Regulations (CCR) during the months of April through June 2014. This section states that community water systems shall comply with the maximum contaminant level for total trihalomethanes (TTHMs) of 80 µg/L.

Background

The Fairview Rd. WS is owned and operated by the San Benito County Water District (SBCWD). The Fairview Rd. WS is classified as a community water system, which serves a population of approximately forty persons through ten service connections. The source of water supply for the system is one groundwater source designated as Well 01 (Primary Station Code: 3500923-001).

Hardcopy TTHMs analysis result submitted to the Department on June 26, 2014 for sampling conducted on June 5, 2014 showed a TTHMs level of 150 µg/L. Compliance with the drinking water standard for TTHMs is based on an average of four quarterly samples. Following four quarterly sampling periods, the average TTHMs level in the drinking water for the period of September 2013 through June 2014 is 91 µg/L, which exceeds the maximum contaminant level (MCL) for



1 TTHMs of 80 µg/L. As a result, the Fairview Rd. WS failed to comply with the
2 MCL for TTHMs of 80 µg/L, as required by Section 64533(a), Chapter 15, Title
3 22, CCR during the second calendar quarter of 2014.

4
5 The Department directed the Fairview Rd. WS to issue a Boil Water Advisory
6 Notice (BWN) to all customers on August 25, 2006 due to ongoing problems with
7 coliform contamination. Notification is required every three months for as long as
8 the problems continue. The BWN remains in place until the Fairview Rd. WS
9 demonstrates to the Department's satisfaction that compliance with requirements
10 specified within the Domestic Water Supply Permit issued to the water system
11 on April 17, 2007 have been met.

12
13 On June 26, 2014, the Department provided Fairview Rd. WS a draft Public
14 Notification (PN) template that can be used to meet the TTHMs MCL violation
15 notification requirements. Fairview Rd. WS was directed to complete the PN
16 form and submit it to the Department for review and approval prior to distribution.
17 Language approval for the PN form was provided by the Department to the
18 Fairview Rd. WS by electronic mail dated June 30, 2014.

19
20 **Notification Requirements**

21
22 Pursuant to Sections 64463, 64463.4, 64465, and 64537 through 64537.6
23 Chapters 15 and 15.5, Title 22, CCR, public water systems are required to notify
24 the Department and its consumers when a water quality failure occurs. **The**
25 **Department was notified in accordance with the above referenced sections**
26 **by Mr. Dave Meraz, Operator and Maintenance Manager, for the Fairview**



1 **Rd. WS on June 26, 2014 that the system had exceeded the TTHMs MCL for**
2 **the months of April through June 2014.**

3
4 Notification of the public shall be conducted by the water system in accordance
5 with Section 64463.4, advising each customer of the TTHMs MCL failure during
6 the months of April through June 2014.

7
8 **Directives**

9
10 The Fairview Rd. WS is hereby directed to take the following actions:

11
12 1. Immediately cease and desist from failing to comply with Section
13 64533(a), Chapter 15, Title 22, CCR.

14
15 2. Conduct public notification for the Disinfectant and Disinfection
16 Byproducts water quality standard violation in conformance with Section
17 64463.4 and 64465, Chapter 15, Title 22, CCR. The notification shall be
18 completed in accordance with the following:

- 19
20 • Mail or direct delivery of the Public Notification to each customer
21 served by the water system by **July 26, 2014**. Repeat the notice every
22 three months for as long as the violation continues.
- 23
24 • By one of the following secondary methods to reach persons not likely
25 to be reached by mail or direct delivery:
- 26 ➤ By publication in a local newspaper; or
27 ➤ By internet posting of the notice ; or



- 1 ➤ By posting the public notice in conspicuous public places within the
2 water system; or
3 ➤ Delivery to community organizations.
4

5 Notice by secondary method shall be conducted within thirty (30) days
6 of receipt of this Citation. The public notice shall remain posted for as
7 long as the violation continues. The Fairview Rd. WS must determine
8 which option will be used to conduct the secondary distribution of the
9 notice and notify the Department of their decision no later than **July**
10 **10, 2014.**
11

- 12 3. Proof of Notification must be provided to the Department by submitting
13 copies of the notice posted and distributed to the customers with the
14 completed Proof of Notification form (Enclosed), to the Department **within**
15 **ten (10) days following issuance of the Public Notification.**
16

- 17 4. The Fairview Rd. WS must conduct an operational evaluation in
18 accordance with Section 64534.2(d)(6) of Title 22, CCR and submit a
19 report to the Department pursuant to Section 64537(d) by **September 26,**
20 **2014.**
21

22 All responses to the directives contained in this Citation shall be submitted to:

23 Jan R. Sweigert, P.E.
24 District Engineer, Monterey District
25 California Department of Public Health
26 Drinking Water Field Operations Branch
27 1 Lower Ragsdale, Building 1, Suite 120
 Monterey, CA 93940



Further Enforcement Actions

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California Health and Safety Code authorizes the Department to: issue additional citations with assessment of penalties if a public water system continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. By issuance of this Citation, the Department does not waive any right to take additional or alternative enforcement action against the System including, but not limited to, assessment of penalties as authorized by law.

Failure to comply with any provision or directive of this Citation may result in the Department imposing penalties.

6/30/2014
Date



Jan R. Sweigert
Jan R. Sweigert, P.E.
District Engineer, Monterey District
DRINKING WATER FIELD OPERATION BRANCH

Enclosures: Proof of Notification Form

CERTIFIED MAIL NO. 7008-1830-0004-5435-4439

PROOF OF NOTIFICATION

Fairview Road Water System

System Number: 3500923

Certification

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Fairview Road Water System of the violation of Title 22, California Code of Regulations for the compliance period of April through June 2014. I complied with the directives of this Citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification – Mail or Direct Delivery	
Public Notification – List Secondary Method Used: _____	
Proof of Notification	

Signature of Water System Representative

Date

*** Attach a copy of the notice distributed. ***

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.